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IV.—CICERO: PRO SULLA 18, 52.

The date of the meeting at Laeca's house is of prime importance for the chronology of a number of events connected with the conspiracy of Catiline—the passing of the *senatus decretum ultimum*, the attempt to murder Cicero at his home, the delivery of in Catilinam I and II, and the departure of Catiline from Rome. It is therefore fortunate that Cicero saw fit in p. Sulla 18, 52 to specify with great exactness the time at which the above mentioned meeting took place; namely, *nocte ea, quae consecuta est posterum diem Nonarum Novembrium*. But the very fact that the date is given so explicitly and phrased in a somewhat unusual fashion has tended to shake confidence more or less in the reliability of the one passage on which we must most depend in attempting to fix the dates of the events clustering around the well-known meeting in the scythe-makers' quarter. Yet the reasons for viewing the passage with suspicion are really far less cogent than one might at first sight assume.

Cicero obviously means to say that the meeting at Laeca's house took place on the night of November 6. It is true, as Mommsen early pointed out, that this interpretation of Cicero's words involves a dating forward from the Nones instead of backward from the Ides. But in questioning whether such a proceeding can be safely regarded as Ciceronian,¹ he apparently overlooked ad Att. XIII 13, 4 (14, 1):

si me in Tusculano postridie Nonas mane convenerint.

¹ Hermes I, p. 431 ff. His idea was that *posterum diem* meant "the day after (the consular election)", and that *Nonarum Novembrium* is an appositional genitive. According to this, the election was held on Nov. 4, and the meeting at Laeca's house occurred on the fifth. Without going into a detailed discussion of the whole question involved, it may be noted that this very passage shows conclusively that the election preceded the meeting at Laeca's house by a considerable interval of time. For Cicero admits that Sulla was in Rome on election day (§§ 51–52), but at the time of the meeting at Laeca's house Sulla was settled at Naples (§ 53). Therefore *posterum diem* could not mean "the day after (the consular election)."

Again, the use of the genitive called for by this interpretation finds a close parallel in ad Att. III 7, 1:

post diem tertium eius diei.¹

And finally, the designation of time by means of a somewhat clumsy periphrase is by no means unparalleled in Cicero's writings; e. g.,

ad Quint. Fr. III 2, 1: postridie eius diei, qui erat tum futurus,
cum haec scribebam.

ad Att. XV 26, 1: ea nocte, quae proxima ante Kal. fuit.

p. Flacco 41, 103: nox illa, quam iste est dies consecutus.

So far, therefore, as the phrase itself is concerned, there would seem to be no valid reason for viewing the text with suspicion or for hesitating to accept the interpretation which gives to the words their simple face value.

Taken in connection with its context, however, the phrase in question may seem to be open to more serious objection, and it is to this aspect of the matter particularly that the present note invites attention. At the point in his speech where he gives the date of the meeting at Laeca's house Cicero is dealing with a charge against Sulla brought forward by the informer C. Cornelius—a charge so lacking in definiteness that Cicero professed not to understand what Cornelius really means to say. His method of refutation, therefore, is to suggest several occasions when the conspirators were active, endeavoring to show that, in each case, Sulla could not have been associated with them. Thus, he first asks whether Cornelius has in mind the earlier conspiracy (of 66–65 B. C.),—mentioning no date, however, and referring to the occasion in terms so general that we might be in doubt as to his meaning, had we not access to other parts of this speech.² He then passes to the postponed consular election of his own year (63)—the date of which we should be very glad to know—but says nothing more definite than *consularibus comitiis, quae a me habita sunt*. In the third place he takes up the matter of the meeting at Laeca's house, and in the following terms: quid tandem de illa nocte dicit (Cornelius), cum inter falcarios ad

¹ Cf. John, Jahrbücher f. Klass. Philologie, Supplementband VIII, p. 778 footnote; also T. D. i 47, 114: *post eius diei diem tertium*; and ad Att. IX 10, 4: *post diem quartum quam ab urbe discessimus*.

² His words are: si vetera, mihi ignota, cum Hortensio communicata, respondit Hortensius.

M. Laecam, *nocte ea, quae consecuta est posterum diem Nonarum Novembrium me consule*, Catilinae denuntiatione convenit?

It must be admitted that, from the point of view of their context and setting, there is something very peculiar about the words *nocte ea me consule*. For it is not at all evident why, at this point, Cicero should feel it necessary or even desirable to date to a day the meeting at Laeca's house—a date which, from its close proximity to the time of in Catilinam I and the departure of Catiline from Rome, was perhaps even more clearly fixed in the minds of the hearers than was that of the postponed consular election, over which he had just passed so lightly. Still less is it clear why he should employ an unusual periphrastic form of dating—a device to which he has recourse, sometimes at least,¹ in order to make the designation of the time clear beyond the peradventure of a doubt. Add to these considerations the fact that the phrase in question is a parenthesis pure and simple, and it is not strange that some have been found who are ready to bracket the words. It would, however, be more to the point to cast about for a reason that might have led Cicero to word his sentence as it stands in the text.

Repeated readings of the passage and of other parts of this speech suggest the thought that the words *ea nocte Nonarum Novembrium* may not have been original with Cicero, but rather are a quotation from an official document—the somewhat otiose and insipid *me consule* which he appends is just the sort of tag a person is prone to add who has mechanically and in one breath run through some round-about and redundant quoted phrase. If there be any truth in this suggestion, the document from which the quotation was made was without doubt the official record of the evidence presented before the senate on Dec. 3 of the previous year, at the time when the Allobroges gave their damaging evidence against Catiline's accomplices. For, in preparing the present speech in defence of Sulla on the charge of conspiracy, Cicero had found it necessary to look through the official record of the evidence presented on that day (see his quotations from it, §§ 36-38), and I venture to suggest that, as his eye ran along the page, his attention was arrested by the rather uncommon phrase *nocte ea Nonarum Novembrium*, and that he incorporated it in his speech (along with the tag *me consule*) as giving a formal

¹ As in ad Quint. Fr. III 2, 1 above.

and official tone to the passage. In order to show how such a phrase might have found a place in the record of the proceedings before the senate on Dec. 3, 63, it is necessary to look rather carefully into the happenings of that day.

One might gather from the summary account given by Cicero in *Catilinam* III, §§ 8–15, that the session of the senate on Dec. 3 was a somewhat hurried affair. But § 21 of the same speech shows that the senate gathered early in the morning, and § 29 makes it clear that it was far into the afternoon when Cicero at last found himself free to come forth and relieve the curiosity of the assembled citizens. The senate meeting, therefore, was almost an all-day session. Furthermore, no inconsiderable portion of the time was given to the taking of testimony from the Allobroges and others—the witnesses had opportunity to tell all they knew, and by no means restricted their remarks to the cases of the four luckless culprits who had not been shrewd enough to avoid arrest. For their testimony clinched the cases of five others who were not present—persons whom Cicero names in *Catilinam* III 6, 14, adding in every case but one a clause descriptive of the charges brought against the man; and still other individuals, such as Autronius and Sulla, were discussed by the witnesses¹—persons against whom apparently the evidence did not seem strong enough to warrant the inclusion of their names in the decree of the senate passed on that day. Finally, the testimony was taken down in the greatest detail and with the minutest care by specially qualified rapid writers,² whose report was a marvel of accuracy and precision.³

Now if an unimportant conspirator like Sulla came in for his share of attention in the testimony of the Allobroges, it cannot be doubted that they had something to say of Laeca also—especially as he, like Sulla, was subsequently brought to trial⁴ although they both escaped for the time being. I therefore suggest that the phrase *nocte ea Nonarum Novembrium* may have found a place in the official record of the day's proceedings by being taken down verbatim from the testimony of the Allobroges. If they mentioned Laeca at all, it would naturally be in connection

¹ Cf. p. Sulla, §§ 36–38.

² P. Sulla, §§ 41–42.

³ As shown by the surprising detail and precision with which the testimony of the Allobroges concerning Sulla is recorded *ibid.*, §§ 36 ff. For the means used to make the official record absolutely trustworthy see *ibid.*, §§ 41–42.

⁴ *Ibid.* 3, 6.

with the meeting held at his house; and that the date of this meeting figured in their testimony is by no means incredible in view of the minute and careful manner in which they prosecuted their bit of detective work when set on by Cicero to gather incriminating evidence against the conspirators.¹

On this hypothesis the fact that the date takes the form *nocte ea quae consecuta est posterum diem Nonarum Novembrium* should occasion no surprise. For this style of dating forward from the Nones (instead of backward from the Ides) is one that would appeal to barbarians perhaps none too familiar with the intricacies of the usual Roman method. Being told that the commissions of the conspirators were given out at an important night meeting held at the house of M. Laeca *ante diem octavum Idus Novembris*, the ambassadors may well have reduced this formula to another which conveyed a more definite idea to their own minds and which was easier to remember; or, on the other hand, their informant at their request may have specified the time more clearly by the use of the phrase *nocte ea Nonarum Novembrium*; i. e., "on the night of the day following the Nones." At any rate such a phrase is precisely of the kind one would expect a Roman to use in explaining a date to a foreigner not very expert in the regular method of dating. It is quite conceivable, therefore, that through the testimony of the Allobroges taken down verbatim this rather unusually phrased date found a place in the official record of the day's proceedings.

To resume, there is nothing in the wording of the phrase *nocte ea me consule* itself to justify a doubt as to the soundness of the text or the correctness of the interpretation which gives to the words their obvious face value—so far as wording and interpretation are concerned, the phrase might have been original with Cicero. But from the point of view of the context, the presence of the words in the sentence in which they

¹ An example showing the thorough-going and aggressive nature of their method is afforded by their interview with Cassius quoted from the official record of the testimony (p. Sulla, §§ 36-38). Cassius had told them that Autronius was in the conspiracy; and then, when he would have rested there, they took the initiative and asked whether Sulla (who in 66 had been elected consul with Autronius, and with him had been disqualified for bribery) was not also a conspirator. That such sharp and accurate agents as these got hold of the date of the meeting at Laeca's house and that they mentioned it in their testimony is altogether likely.

stand presents a difficulty which, at first sight, appears serious. This difficulty, however, should not lead to the rejection of the phrase; for its presence can be accounted for on a plausible hypothesis; for example, that Cicero catches up a striking clause (*nocte ea Nonarum Novembrium*) from the record of the evidence presented on December 3, 63 (which evidence he had just been examining), and gives a formal and official tone to his sentence by inserting the phrase bodily and adding the tag *me consule*. Such insertion would be all the more effective in view of the fact that many copies of the official record of the evidence had already been made and scattered broadcast during the months that intervened before the speech pro Sulla was delivered;¹ so that in incorporating the phrase he would be quoting something more or less familiar to many of his hearers.

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¹P. Sulla, §§ 42-43.